

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BRIAN CUMMINGS,)
)
)
Plaintiff,)
)
v.) Case No. 3:22-cv-00301
)
BRETTON KEEFER, on behalf of the deceased CHESTA SHOEMAKER, AFSOON HAGH, and JEANNE BURTON, Trustee on behalf of CUMMINGS MANOOKIAN, PLC,) Chief Judge Waverly D. Crenshaw, Jr. Magistrate Judge Alistair E. Newbern
)
)
Defendants.)
)

**DECLARATION OF ELIZABETH S. TIPPING
IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT
AGAINST DEFENDANT AFSOON HAGH**

I, Elizabeth S. Tipping, declare under penalty of perjury that the following facts are true and correct to the best of my information and belief:

1. I am counsel of record for the above-named Plaintiff, Brian Cummings.
2. Service of the Summons and Amended Complaint upon Defendant Afsoon Hagh was effected on October 11, 2022 by Deputy U.S. Marshall Robert Capus. (Doc. Nos. 39, 45.)
3. Since service on October 11, 2022, more than 21 days have elapsed and Defendant Hagh has failed to file a responsive pleading or otherwise defend Plaintiff's Amended Complaint.

4. Defendant Hagh is not a minor, and, to the best of my information and belief, Defendant Hagh is not incompetent.

5. Defendant Hagh is not in the military service, as evidenced by the certificate issued by the Department of Defense Manpower Data Center on February 10, 2023, which is attached hereto as Exhibit A.

6. Attached hereto as Exhibit B is a true and correct copy of a webpage from the Board of Professional Responsibility of the Supreme Court of Tennessee, reflecting the publicly available Attorney Details regarding Brian Manookian.

7. Attached hereto as Exhibit C is a true and correct copy of Brian Cummings' Notice of Attorney's Lien filed November 27, 2020, in Keefer v. Vanderbilt University Medical Center, Davidson County Circuit Court Case No. 19C358 (the "Underlying Case"), obtained from the Public Inquiry System for the Offices of the Circuit Court Clerk of Davidson County, Tennessee ("CaseLink").

8. Attached hereto as Exhibit D is a true and correct copy of Motion for Status Conference filed by Brian Cummings in the Underlying Case on December 16, 2021, obtained from CaseLink.

9. Attached hereto as Exhibit E is a true and correct copy of Plaintiff's [Bretton Keefer's] Response in Opposition to Brian Cummings' Motion for Status Conference filed in the Underlying Case on January 10, 2022, obtained from CaseLink.

10. Attached hereto as Exhibit F is a true and correct copy of Brian Cummings Corrected Reply to Plaintiff's [Bretton Keefer's] Response to Motion for Status Conference filed in the Underlying Case on January 13, 2022, obtained from CaseLink.

11. Attached hereto as Exhibit G is a true and correct copy of Plaintiff's [Bretton Keefer's] Sur-Reply in Opposition to Brian Cummings' Motion for Status Conference filed in the Underlying Case on January 13, 2022, obtained from CaseLink.

12. Attached hereto as Exhibit H is a true and correct copy of the Court's Order Altering and Amending This Court's Order of December 16, 2021, filed in the Underlying Case on January 18, 2022 and obtained from CaseLink.

13. Attached hereto as Exhibit I is a true and correct copy of an Order of Voluntary Dismissal With Prejudice, filed September 22, 2022, in Shahgoli v. Agnoly-Motiel, Davidson County General Sessions Court Case No. 22GC8438, obtained from CaseLink.

14. Attached hereto as Exhibit J is a true and correct copy of a Complaint, filed October 16, 2022, in Linthicum v. Battle of Franklin Trust, Inc., Davidson County Circuit Court Case No. 22C2093, obtained from CaseLink.

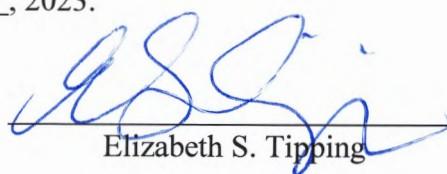
15. Attached hereto as Exhibit K is a true and correct copy of a webpage from the Board of Professional Responsibility of the Supreme Court of Tennessee, reflecting the publicly available Attorney Details regarding Defendant Hagh.

16. Attached hereto as Exhibit L is a true and correct copy of the Judgment entered October 4, 2021, in Manookian v. Board of Professional Responsibility of the Supreme Court of Tennessee, Davidson County Chancery Court Case No. 20-0833-I, obtained from Chancery Case Information Access system for the Chancery Court Clerk & Master for Davidson County, Tennessee.

16. Attached hereto as Exhibit M is a true and correct copy of the Order Reinstating Temporary Suspension entered October 11, 2019, in In re: Brian Phillip Manookian, BPR #026455, Supreme Court of Tennessee Case No. M2019-00630-CS-BAR-BP, obtained from the Board of Professional Responsibility of the Supreme Court of Tennessee.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 10, 2023.



Elizabeth S. Tipping

Respectfully Submitted,

COUNTERPOINT LEGAL, PLC

By: /s/ Elizabeth S. Tipping
Elizabeth S. Tipping, No. 023066
Kristen M. Shields, No. 036438

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on this the 10th day of February, 2023, via the Court's electronic filing system on the following:

Phillip G. Young, Jr.
Thompson Burton PLLC
1801 West End Avenue, Suite 1550
Nashville, TN 37203
phillip@thompsonburton.com

and via United States First Class mail, postage prepaid on the following:

Bretton Keefer
5554 Pumpkintown Lane
Lafayette, TN 37083

Afsoon Hagh
Hagh Law PLC
226 Pelham Drive
Brentwood, TN 37027-4237

/s/ Elizabeth S. Tipping